



**ARIZONA STATE SENATE**  
*Fifty-Fifth Legislature, Second Regular Session*

**AMENDED**  
**FACT SHEET FOR H.B. 2617**

voter registration; cancellations; causes

Purpose

Requires a county recorder to cancel the voter registration of a person for whom the county recorder receives and confirms information that the person is not a U.S. citizen, has been issued a driver license or nonoperating license in another state or is otherwise not a qualified elector. Outlines notice requirements prior to cancelling a person's voter registration. Requires the Secretary of State (SOS) and a county recorder to compare the voter registration database with prescribed databases.

Background

An Arizona resident is qualified to register to vote if the person: 1) is a U.S. citizen; 2) will be at least 18 years old by the date of the next regular general election; 3) will have been a resident for 29 days before the next election; 4) is able to write the person's name or mark, unless prevented by physical disability; 5) has not been convicted of treason or felony, unless restored to civil rights; and 6) has not been adjudicated an incapacitated person ([A.R.S. § 16-101](#)).

The SOS must develop and administer a statewide voter registration database that contains the name and registration information of every registered voter in Arizona. The database must: 1) include a unique identifier for each voter; 2) allow access to voter registration officials; and 3) allow expedited entry of voter registration information once received by county recorders. The SOS is responsible for maintaining the database including removal of ineligible voters consistent with federal code ([A.R.S. § 16-168](#)).

A county recorder must cancel a person's voter registration in certain circumstances, including when a county recorder knows of the death of a registered person and when the county recorder receives written information from the person registered that the person has a change of address outside of the county. Each month, the Department of Health Services (DHS) must provide the SOS with a record of death of every Arizona resident. The SOS must compare the record of death with the voter registration database and cancel the registration of each deceased person ([A.R.S. § 16-165](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires a county recorder to cancel a person's voter registration when the county recorder receives and confirms information that the person registered:
  - a) is not a U.S. citizen, including when the county recorder receives a summary report from a jury commissioner or jury manager indicating that a person who is registered to vote has stated that the person is not a U.S. citizen;

- b) has been issued a driver license or the equivalent of an Arizona nonoperating identification license from another state; or
  - c) is otherwise not a qualified elector.
- 2. Requires the Arizona Department of Transportation (ADOT) to furnish a monthly list to the SOS of persons who ADOT has been notified have been issued a driver license or the equivalent of an Arizona nonoperating license in another state.
- 3. Requires the SOS, within 10 days of receipt of the list of persons from ADOT, to provide the appropriate county recorder with a list of registered voters in that county who have been issued a driver license or the equivalent of an Arizona nonoperating identification license from another state.
- 4. Requires a county recorder, before cancelling the voter registration of a person for whom the county recorder receives information indicating non-U.S. citizenship, to send the person a notice that the registration will be canceled in 90 days unless the person provides satisfactory evidence that the person is qualified.
- 5. Requires the county recorder, if a person who has been sent a notice related to non-U.S. citizenship does not provide satisfactory evidence within 90 days, to cancel the person's registration and notify the county attorney or Attorney General (AG) for possible investigation.
- 6. Requires a county recorder, before cancelling the voter registration of a person for whom the county recorder receives information indicating the issuance of a driver license or equivalent of an Arizona nonoperating identification license from another state, to send notice that the registration will be cancelled in 90 days unless the person provides satisfactory evidence that the person is qualified.
- 7. Requires a county recorder, for a notice to a person regarding an indication of the issuance of a driver license or equivalent of an Arizona nonoperating identification license from another state, to include the reason for the cancellation and send the notice to both the address:
  - a) in the person's voter registration file; and
  - b) shown in ADOT's records from the issuance of a driver license or other state-issued identification in another state, if accessible.
- 8. Requires a county recorder to send a person for whom the county recorder receives information indicating the person is not a qualified elector a notice that the registration will be canceled in 90 days unless the person provides satisfactory evidence that the person is qualified.
- 9. Requires the SOS, each month, to compare the statewide voter registration database and the driver license database maintained by ADOT.
- 10. Requires the SOS to notify the appropriate county recorder if a person who is registered to vote in the county has changed the person's residence address or is not a U.S. citizen.
- 11. Requires the county recorder, each month and to the extent practicable, to compare:
  - a) the county's voter registration database to the Social Security Administration database; and

- b) persons who are registered to vote in that county and who the county recorder has reason to believe are not U.S. citizens with the Systematic Alien Verification for Entitlements Program maintained by the U.S. Citizenship and Immigration Services to verify the citizenship status of the persons registered.
- 12. Requires a county recorder, for persons who are registered to vote without statutorily prescribed satisfactory evidence of citizenship, to compare the Electronic Verification of Vital Events System maintained by the National Association for Public Health Statistics and Information Systems, if accessible, with the person's voter registration file.
- 13. Requires a county recorder to regularly review city, town, county, state and federal databases to which the county recorder has access to ensure that persons who are registered to vote are qualified electors.
- 14. Requires the SOS to report to the Legislature at the end of each quarter on the number of deaths reported to the SOS by DHS and the number of voter registration cancellation notices issued by the SOS to county recorders as a result of the reports.
- 15. Requires a jury commissioner or jury manager to forward, to the SOS and a county recorder, a summary report derived from a jury questionnaire that contains information that indicates a person is not a U.S. citizen or does not reside in the county.
- 16. Requires the summary report to include only information that is necessary for a county recorder to accurately identify a person in the voter registration database.
- 17. Requires a county recorder to cancel a person's voter registration when the county recorder is informed and confirms that a registered person is dead, rather than when the voter knows of the death of a registered person.
- 18. Makes technical and conforming changes.
- 19. Becomes effective on the general effective date.

Amendments Adopted by Committee of the Whole

- 1. Limits the persons who ADOT must include on the monthly list furnished to the SOS of persons who have been issued a driver license or non-operating identification license equivalent in another state to only persons for whom ADOT has been notified of the issuance.
- 2. Requires the 90-day registration cancellation notice sent by a county recorder to a person who has been issued a driver license or equivalent of an Arizona nonoperating identification license in another state to only be sent to the address shown in ADOT's records from the issuance if the information is accessible.
- 3. Requires a county recorder to send a person for whom the county recorder receives information indicating the person is not a qualified elector a notice that the registration will be canceled in 90 days unless the person provides satisfactory evidence that the person is qualified.

4. Requires a jury commissioner or jury manager to forward to the SOS and a county recorder a summary report derived, rather than a copy of, a jury questionnaire that indicates that a person is not a U.S. citizen or does not reside in the county.
5. Requires a jury questionnaire summary report that is forwarded to a county recorder to only contain information necessary to accurately identify the person in the voter registration database, rather than requiring the jury commissioner or jury manager to redact information that is not necessary to identify the voter.
6. Makes technical and conforming changes.

House Action

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|----------------------|--------|----|---------|
| GE                   | 2/9/22 | DP | 7-6-0-0 |
| 3 <sup>rd</sup> Read | 3/1/22 |    | 31-26-3 |

Senate Action

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| GOV | 3/14/22 | DP | 4-3-0 |
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Prepared by Senate Research

May 23, 2022

MH/slp